

House Bill 1626 (AS PASSED HOUSE AND SENATE)

By: Representatives Burns of the 157<sup>th</sup> and Carter of the 159<sup>th</sup>

A BILL TO BE ENTITLED

AN ACT

To annex certain territory into the City of Guyton and change the corporate limits of the city; to provide for related matters; to provide for a referendum; to provide for submission; to provide effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Any other provision of law to the contrary notwithstanding, in addition to all other territory included in the corporate limits of the City of Guyton, the following described property shall also be within and a part of the corporate limits of the City of Guyton:

Property in Pleasant Point Subdivision and the vicinity thereof:

All that land lying and being in the Tenth G.M. District, Effingham County, Georgia, being more particularly described as follows:

Tract One:

All that certain lot, tract or parcel of land situate, lying and being in the 10th G.M. District, Effingham County, Georgia, containing .75 acres of land, more or less, located in the 10th G.M. District, Effingham County, Georgia, known and designated as Lot No. 1, Pleasant Point Subdivision, that is shown and more particularly described by the plat of survey made by Leon A. Zipperer, R.L.S. # 2373, dated May 20, 2005, recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia, in Plat Cabinet C, Slide 81 F1, which is incorporated into this description by specific reference thereto.

Tract Two:

All that certain lot, tract or parcel of land situate, lying and being in the 10th G.M. District, Effingham County, Georgia, containing .75 acres of land, more or less, located in the 10th G.M. District, Effingham County, Georgia, known and designated as Lot No. 2, Pleasant Point Subdivision, that is shown and more particularly

described by the plat of survey made by Leon A. Zipperer, R.L.S. # 2373, dated May 20, 2005, recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia, in Plat Cabinet C, Slide 81 F1, which is incorporated into this description by specific reference thereto.

Tract Three:

All that certain lot, tract or parcel of land situate, lying and being in the 10th G.M. District, Effingham County, Georgia, containing .50 acres of land, more or less, located in the 10th G.M. District, Effingham County, Georgia, known and designated as Lot No. 3, Pleasant Point Subdivision, that is shown and more particularly described by the plat of survey made by Leon A. Zipperer, R.L.S. # 2373, dated May 20, 2005, recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia, in Plat Cabinet C, Slide 81 F1, which is incorporated into this description by specific reference thereto.

Tract Four:

All that certain lot, tract or parcel of land situate, lying and being in the 10th G.M. District, Effingham County, Georgia, containing .50 acres of land, more or less, located in the 10th G.M. District, Effingham County, Georgia, known and designated as Lot No. 4, Pleasant Point Subdivision, that is shown and more particularly described by the plat of survey made by Leon A. Zipperer, R.L.S. # 2373, dated May 20, 2005, recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia, in Plat Cabinet C, Slide 81 F1, which is incorporated into this description by specific reference thereto.

Tract Five:

All that certain lot, tract or parcel of land situate, lying and being in the 10th G.M. District, Effingham County, Georgia, containing .50 acres of land, more or less, located in the 10th G.M. District, Effingham County, Georgia, known and designated as Lot No. 5, Pleasant Point Subdivision, that is shown and more particularly described by the plat of survey made by Leon A. Zipperer, R.L.S. # 2373, dated May 20, 2005, recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia, in Plat Cabinet C, Slide 81 F1, which is incorporated into this description by specific reference thereto.

Tract Six:

All that certain lot, tract or parcel of land situate, lying and being in the 10th G.M. District, Effingham County, Georgia, containing .50 acres of land, more or less, located in the 10th G.M. District, Effingham County, Georgia, known and designated as Lot No. 6, Pleasant Point Subdivision, that is shown and more particularly

described by the plat of survey made by Leon A. Zipperer, R.L.S. # 2373, dated May 20, 2005, recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia, in Plat Cabinet C, Slide 81 F1, which is incorporated into this description by specific reference thereto.

Tract Seven:

All that certain lot, tract or parcel of land situate, lying and being in the 10th G.M. District, Effingham County, Georgia, containing .50 acres of land, more or less, located in the 10th G.M. District, Effingham County, Georgia, known and designated as Lot No. 7, Pleasant Point Subdivision, that is shown and more particularly described by the plat of survey made by Leon A. Zipperer, R.L.S. # 2373, dated May 20, 2005, recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia, in Plat Cabinet C, Slide 81 F1, which is incorporated into this description by specific reference thereto.

Tract Eight:

All that certain lot, tract or parcel of land situate, lying and being in the 10th G.M. District, Effingham County, Georgia, containing .50 acres of land, more or less, located in the 10th G.M. District, Effingham County, Georgia, known and designated as Lot No. 8, Pleasant Point Subdivision, that is shown and more particularly described by the plat of survey made by Leon A. Zipperer, R.L.S. # 2373, dated May 20, 2005, recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia, in Plat Cabinet C, Slide 81 F1, which is incorporated into this description by specific reference thereto.

Tract Nine:

All that certain lot, tract or parcel of land situate, lying and being in the 10th G.M. District, Effingham County, Georgia, containing .50 acres of land, more or less, located in the 10th G.M. District, Effingham County, Georgia, known and designated as Lot No. 9, Pleasant Point Subdivision, that is shown and more particularly described by the plat of survey made by Leon A. Zipperer, R.L.S. # 2373, dated May 20, 2005, recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia, in Plat Cabinet C, Slide 81 F1, which is incorporated into this description by specific reference thereto.

Tract Ten:

All that certain lot, tract or parcel of land situate, lying and being in the 10th G.M. District, Effingham County, Georgia, containing 1.29 acres of land, more or less, located in the 10th G.M. District, Effingham County, Georgia, known and designated as Lot No. 10, Pleasant Point Subdivision, that is shown and more particularly

described by the plat of survey made by Leon A. Zipperer, R.L.S. # 2373, dated May 20, 2005, recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia, in Plat Cabinet C, Slide 81 F1, which is incorporated into this description by specific reference thereto.

Tract Eleven:

All that certain lot, tract or parcel of land situate, lying and being in the 10th G.M. District, Effingham County, Georgia, containing 1.36 acres of land, more or less, located in the 10th G.M. District, Effingham County, Georgia, known and designated as Lot No. 11, Pleasant Point Subdivision, that is shown and more particularly described by the plat of survey made by Leon A. Zipperer, R.L.S. # 2373, dated May 20, 2005, recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia, in Plat Cabinet C, Slide 81 F1, which is incorporated into this description by specific reference thereto.

Tract Twelve:

All that certain lot, tract or parcel of land situate, lying and being in the 10th G.M. District, Effingham County, Georgia, containing 2.42 acres of land, more or less, located in the 10th G.M. District, Effingham County, Georgia, known and designated as "Future Development", Pleasant Point Subdivision, that is shown and more particularly described by the plat of survey made by Leon A. Zipperer, R.L.S. # 2373, dated May 20, 2005, recorded in the Office of the Clerk of Superior Court of Effingham County, Georgia, in Plat Cabinet C, Slide 81 F1, which is incorporated into this description by specific reference thereto.

## SECTION 2.

Unless prohibited by the federal Voting Rights Act of 1965, as amended, the election superintendent of Effingham County shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of Effingham County residing in the area described in Section 1 of this Act as the Sugar Hill Community, but outside the existing municipal boundaries of the city, for approval or rejection. The election superintendent shall conduct that election on the earliest date therefor permissible under Code Section 21-2-540 of the O.C.G.A. and shall issue the call and conduct that election as provided by general law. The superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Effingham County. The ballot shall have written or printed thereon the words:

1     "( ) YES   Shall the Act be approved which annexes the Pleasant Point Subdivision  
2     ( ) NO    community into the corporate limits of the City of Guyton?"

3   All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring  
4   to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on  
5   such question are for approval of the Act, it shall become of full force and effect  
6   immediately. If the Act is not so approved or if the election is not conducted as provided in  
7   this section, the remaining sections of this Act shall not become effective and this Act shall  
8   be automatically repealed on the first day of January immediately following that election  
9   date. The expense of such election shall be borne by the City of Guyton. It shall be the  
10  election superintendent's duty to certify the result thereof to the Secretary of State.

### 11                                   **SECTION 3.**

12  The governing authority of the City of Guyton shall through its legal counsel cause this Act  
13  to be submitted for preclearance under the federal Voting Rights Act of 1965, as amended;  
14  and such submission shall be made to the United States Department of Justice or filed with  
15  the appropriate court no later than 30 days after the date on which this Act is approved by the  
16  Governor or otherwise becomes law without such approval.

### 17                                   **SECTION 4.**

18  Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon  
19  its approval by the Governor or upon its becoming law without such approval.

### 20                                   **SECTION 5.**

21  All laws and parts of laws in conflict with this Act are repealed.